

**321PHYSICAL THERAPIST AFFILIATED CREDENTIALING BOARD  
MARCH 16, 2006  
MINUTES**

**PRESENT:** Otto Cordero; Enid Mistele; Larry J. Nosse; Mark Shropshire; Jane Stroede

**STAFF:** Tom Ryan, Bureau Director; Jacquelynn Rothstein, DRL Board Counsel; PJ Monson, Bureau Assistant; and other DRL staff

**GUESTS:** Jeremy Levin, Wisconsin Medical Society; Laurie Kontney, PT; Paul Abler; Jason Johns, (WPTA)

**CALL TO ORDER**

Otto Cordero called the meeting to order at 8:36 a.m.

**APPROVAL OF AGENDA**

**Additions:**

- Between C&D – Credentialing and Registration of Federation of State Boards of Physical Therapy (FSBPT) Delegates & Administrators document
- Item D – History of Senate Bill 394
- Item F – Chapter PT 9 Continuing Education (CE) Questions
- Between G&H – Utilization Review Services document
- After Item L – DOE Pending Case Report

**MOTION:** Jane Stroede moved, seconded by Enid Mistele, to approve the agenda with additions. Motion carried unanimously.

**APPROVAL OF MINUTES OF DECEMBER 8, 2005**

**MOTION:** Mark Shropshire moved, seconded by Enid Mistele, to approve the minutes as published. Motion carried unanimously.

**ELECTION OF OFFICERS FOR 2006**

Otto Cordero called three times for nominations for the office of Chair.

**MOTION:** Enid Mistele moved, seconded by Jane Stroede, to nominate Otto Cordero as Chair of the Board. After no other nominations were offered, the motion carried unanimously.

Otto Cordero called three times for nominations for the office of Vice Chair.

**MOTION:** Jane Stroede moved, seconded by Larry Nosse, to nominate Jane Stroede as Vice Chair. After no other nominations were offered, the motion carried unanimously.

Otto Cordero called three times for nominations for the office of Secretary.

**MOTION:** Enid Mistele moved, seconded by Mark Shropshire, to nominate Larry Nosse as Secretary. After no other nominations were offered, the motion carried unanimously.

Otto Cordero appointed the following positions:

Credentialing Liaison – Jane Stroede and Larry Nosse

Screening Panel – Mark Shropshire

Examinations – Otto Cordero, Larry Nosse, Jane Stroede and Mark Shropshire

Legislative Liaison – Mark Shropshire

Monitoring Liaison – Otto Cordero (see motion on page 6)

### **ADMINISTRATIVE REPORT**

Secretary Celia Jackson welcomed the Board and reviewed some changes currently underway at DRL.

#### **Department/Board policies and procedures**

Tom Ryan addressed the Board regarding Department and Board policies and procedures and recommended Board members read and keep the information for future reference.

#### **Board Member Orientation**

Tom Ryan also advised the Board of the upcoming New Member Orientation.

#### **Board Motions - reminder**

Tom Ryan reminded the members of the importance of clarity in making motions.

#### **FSBPT National Meeting – September 9-12, 2006 - Approval of Board Delegate and Alternate and Bureau Director or Designee**

Otto Cordero gave a brief outline of past FSBPT meetings and encouraged participation. He will attend the meeting as the Wisconsin jurisdiction delegate.

**MOTION:** Mark Shropshire moved, seconded by Larry Nosse, to authorize Otto Cordero to attend the FSBPT National Meeting. Motion carried unanimously.

**MOTION:** Mark Schropshire moved, seconded by Jane Stroede, to authorize Larry Nosse as an alternate delegate to attend the FSBPT National Meeting. Motion carried unanimously.

**MOTION:** Jane Stroede moved, seconded by Larry Nosse, to authorize the Bureau Director to designate an administrative staff member to attend the FSBPT National Meeting. Motion carried unanimously.

## **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES, ADMINSTRATIVE RULES AND LEGISLATION**

### **EMG Legislation – Board Status**

The Board discussed Senate Bill (SB) 394. Jason Johns, WPTA, gave a brief history of the legislation and its current location in the legislature.

**MOTION:** Mark Shropshire moved, seconded by Larry Nosse, the Board supports needle EMG as being within the Physical Therapist scope of practice provided the individual has the appropriate education and training. Motion carried unanimously.

**MOTION:** Enid Mistele moved, seconded by Jane Stroede, to authorize Mark Shropshire in his role as legislative liaison to have further communication with the legislature regarding needle EMG as needed. Motion carried unanimously.

### **PT Board Status Legislation – consider letter to legislature**

A public hearing was held in the legislature regarding the proposed independent status of the PTACB. The Medical Examining Board did not oppose the bill.

**MOTION:** Jane Stroede moved, seconded by Larry Nosse, to authorize Mark Shropshire in his role as legislative liaison to have further communication with the legislature regarding independent Board status as needed. Motion carried unanimously.

### **Report of Licensing Liaison – Otto Cordero**

This topic is discussed in the CE and Examination issues part of the meeting.

## **GENERAL POLICY FOR CE EXTENSION/WAIVER REQUESTS AT RENEWAL**

**MOTION:** Jane Stroede moved, seconded by Enid Mistele, to approve the script as presented to be used by the credentialing staff. Motion carried unanimously.

## **CE RULE QUESTIONS AND ANSWERS**

Laurie Kontney, PT, former chair of the Board, appeared before the board to discuss questions that have been asked regarding CE requirements and handed out an outline of the most commonly asked questions with Chapter PT 9. The Board discussed each question in detail.

Tammie Buckingham, DRL Credentialing Specialist, joined the meeting for the CE Discussion.

**MOTION:** Mark Shropshire moved, seconded by Enid Mistele, to grant Jane Stroede and Larry Nosse, Credentialing Liaisons, the authority to determine which entities qualify as recognized CEU granting organizations under PT 9.04. Motion carried unanimously.

The Board agreed that these determinations are to be made by consensus by the liaisons.

**MOTION:** Jane Stroede moved, seconded by Mark Shropshire, to approve the following CE interpretation: “whether CE programs have to include both ethics and jurisprudence topics in order to qualify for credit under Wis. Admin. Code § PT 9.04 (2)(c)? As a practical matter, these subjects tend to go hand-in-hand as it is difficult to parse the ethical requirements from the legal ones. Consequently, most CE programs typically combine the two areas. However, supposing it is theoretically possible to have distinctive courses on each subject and to add the course hours together for a total of four.” and to put this statement under FAQ on the PT website. Motion carried unanimously.

## **CE WAIVER REQUEST**

### **PAUL L. THIELEN, PT**

The Board noted that the request for waiver does not demonstrate any undue hardship and that the CE requirements extend beyond the clinical setting to the setting in which Mr. Thielen practices.

**MOTION:** Jane Stoele moved, seconded by Enid Mistele, to reject the request for CE waiver for Paul L. Thielen, PT. Motion carried unanimously.

## **INFORMATIONAL ITEMS**

Noted.

## **CLOSED SESSION**

**MOTION:** Mark Shropshire moved, seconded by Enid Mistele, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation with administrative

warning (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Otto Cordero-yes; Enid Mistele-yes; Larry J. Nosse-yes; Mark Shropshire-yes; and Jane Stroede-yes. Motion carried unanimously by roll call vote.

The Board convened into closed session at 12:43 p.m.

### **RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**MOTION:** Enid Mistele moved, seconded by Jane Stroede, to reconvene into open session. Motion carried unanimously.

### **DELIBERATION OF ORDER FIXING COSTS GABRIELE SHUE HAYES, PT**

**MOTION:** Mark Shropshire moved, seconded by Larry Nosse, to accept the order fixing costs for Gabriele Shue Hayes, PT. Motion carried unanimously. Mr. Cordero left the room, did not participate in deliberations, and did not vote.

### **MONITORING**

### **PAUL ABLER, PT ANNUAL REVIEW**

Paul Abler, PT, appeared before the Board for his annual review and to request full reinstatement of his license. Jacquelynn Rothstein will draft an order specifying the reasons for the denial.

**MOTION:** Larry Nosse moved, seconded by Enid Mistele, to deny reinstatement of full licensure for Paul Abler, PT. Motion carried.

### **DOE CASE CLOSINGS**

#### **05 PHT 006**

**MOTION:** Mark Shropshire moved, seconded by Larry Nosse, to close case 05 PHT 006 for prosecutorial discretion (P2). Motion carried.

### **VALIDATION OF EXAMINATION RESULTS**

**MOTION:** Larry Nosse moved, seconded by Jane Stroede, to accept the examination scores of March 15, 2006. Motion carried unanimously.

**MOTION:** Jane Stroede moved, seconded by Mark Shropshire, to elect Otto Cordero as the Monitoring Liaison. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Enid Mistele moved, seconded by Larry Nosse, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:03 p.m.